

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51796 of 2018

Arising Out of PS. Case No.-307 Year-2017 Thana- BARACHATTI District-
Gaya

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Sitaram Das S/o Ganesh Das, R/o Vill.- Khapia, P.S.- Barachatty, District-
Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shivendra Prasad, Advocate.

For the Opposite Party: Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 23-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420, 467, 468 and 471 of the Indian Penal
Code registered in connection with Barachatty P.S. Case No. 307
of 2017.

3. It is submitted that the petitioner has been falsely
implicated on the accusation that he, as the then Sarpanch,
through forgery, had withdrawn the special journey allowances
of the former Panches. It is submitted that the bank account of
the Gram Katchery, Nadarpur which discloses that the journey
allowances of the Panches have duly been paid through cheques
and as such the allegations made by the former Panches to the
contrary is wholly unreliable.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, in the event of the
petitioner's arrest or surrender before the court below within six
weeks from the date of communication of this order, let the above



named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghaty, Gaya in connection with Barachatty P.S. Case No. 307 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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